

REMARKS

Favorable reconsideration and allowance are respectfully requested for Claims 1-16 in view of the following remarks.

Claims 1-11 and 13-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Muller in view of Nawata. Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Muller in view of Nawata and also in view of Langeschei. These rejections are respectfully traversed.

Muller does not disclose or suggest, among other features, the fixing being neutralized in the event of a head on collision. As stated in the Office Action Muller does not indeed show this feature.

The deficiencies of Muller are not rectified by Nawata et al. Nawata et al. does not disclose or suggest, among other features, the fixing being neutralized in the event of a head on collision. In the Office Action, the Examiner has alleged that the push plates 70 in Nawata et al. are a fixing which can be neutralized in the event of a head on collision. However, as disclosed in Nawata et al. at column 22, lines 43-57, the rigidity of the push plates 70 is set higher than the rigidity of the pedal bracket 30. Also, at column 23, lines 1-22, the operation of the push plates 70 is described. In this description, the push plates are disclosed as forcing the rotating shaft portion 68 rearwardly with respect to the assembly. Thus, contrary to the Office Action, the push plates are not neutralized in the event of a head on collision, but these push plates 70 operate and hold the rotating shaft 68 and move it in the event of a head on collision. Thus, it is respectfully submitted that the

claimed invention is patentably distinguishable over the cited references, as noted above. Accordingly, withdrawal of the rejection is respectfully requested.

Since claim 12 depends from claim 1, claim 12 is also patentably distinguishable over the cited references, and withdrawal of the rejection is respectfully requested.

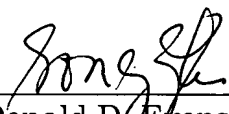
In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #225/49902).

Respectfully submitted,

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